

REMARKS/ARGUMENTS

The present Amendment is responsive to the final Office Action mailed June 18, 2009 in the above-identified patent application.

Claims 3-6 are canceled without prejudice or disclaimer. Therefore, claims 1, 2 and 7-10 are the claims currently pending in the present application.

Claims 1, 2, 7 and 8 are amended to clarify features recited thereby. These amendments are fully supported by Applicant's disclosure.

Claims 9 and 10 are amended so that they continue to depend from a claim still pending in the present application.

Since the claim amendments introduce no new features into the claims, the claim amendments are believed not to raise new issues that would require further searching and therefore a Request for Continued Examination is not filed herewith.

Rejection of Claims 1-3 and 8 under 35 U.S.C. § 103

Claims 1-3 and 8 are rejected under 35 U.S.C. § 103 as being obvious from Aupperle et al., U.S. Patent Application Publication No. 2004/0050374 in view of Valaszka et al., U.S. Patent Application Publication No. 2003/0033993. Reconsideration of this rejection is respectfully requested.

Claim 1 requires an arrangement for recirculation of exhaust gases in a super-charged combustion engine, the arrangement comprising a return line including a connection for recirculating the exhaust gases from the exhaust line to the inlet line, a second cooler operable to cool the exhaust gases in the return line by use of a liquid medium and a first cooler using ambient air as a cooling medium downstream from the second cooler, and a third cooler for cooling the air in the inlet line before the air is mixed with the exhaust gases from the return line, wherein the first cooler and the third cooler together comprise a flat integrated cooler package having a main extent in one plane, the first cooler positioned relative to the third cooler such that both have the main extent in the one plane.

The Office Action acknowledges (Office Action, page 3) that Aupperle as modified by Valaszka fails to disclose the first cooler and the third cooler together comprise a flat integrated cooler package having a main extent in one plane, the first cooler positioned relative to the third cooler such that both have the main extent in the one plane, as required by claim 6.

However, the Office Action cites Schönfeld and alleges that the above-cited features of

claim 6 would have been obvious for a person of ordinary skill in the art on the ground that an integrated unit provided as a flat cooler package would achieve high heat transfer performance with a minimal frontal area.

Schönfeld discloses an embodiment of the exhaust gas cooling system in which a larger plurality of heat exchangers are connected in series (Schönfeld, column 3, lines 50-52; Fig. 2).

Schönfeld does not disclose or suggest the above-cited features of claim 6. As discussed, Schönfeld merely discloses that the EGR system 10 includes heat exchangers WT1 through WTN connected in series for cooling in separate stages the EGR gases.

Accordingly, even taken together in combination, Aupperle, Valaszka and Schönfeld do not disclose or suggest the recitations of claim 1.

Claims 2 and 8 depend from claim 1 and are therefore patentably distinguishable over the cited art for at least the same reasons. Claim 3 is canceled without prejudice or disclaimer, and therefore, the rejection is moot as to this claim.

Rejection of Claims 4-7 and 9-10 under 35 U.S.C. § 103

Claims 4-7 and 9-10 are rejected under 35 U.S.C. § 103 as being obvious from Aupperle et al., in view of Valaszka et al. and further in view of Schönfeld et al., U.S. Patent No. 5,607,010. Reconsideration of this rejection is respectfully requested.


Claims 7, 9 and 10 depend from claim 1 and are therefore patentably distinguishable over the cited art for at least the same reasons. Claims 4-6 are canceled without prejudice or disclaimer, and therefore, the rejection is moot as to these claims.

In view of the foregoing discussion, withdrawal of the rejections and allowance of the claims of the application are respectfully requested.

Respectfully submitted,

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